

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

*Your Committee on Roads and Transportation, to which was referred House Bill 1792, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

1 Page 1, between the enacting clause and line 1, begin a new
 2 paragraph and insert:
 3 "SECTION 1. IC 6-6-4.1-13 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 13. (a) A carrier may,
 5 in lieu of paying the tax imposed under this chapter that would
 6 otherwise result from the operation of a particular commercial motor
 7 vehicle, obtain from the department a trip permit authorizing the carrier
 8 to operate the commercial motor vehicle for a period of five (5)
 9 consecutive days. The department shall specify the beginning and
 10 ending days on the face of the permit. The fee for a trip permit for each
 11 commercial motor vehicle is fifty dollars (\$50). The report otherwise
 12 required under section 10 of this chapter is not required with respect to
 13 a vehicle for which a trip permit has been issued under this subsection.

(b) The department may issue a temporary written authorization if unforeseen or uncertain circumstances require operations by a carrier of a commercial motor vehicle for which neither a trip permit described in subsection (a) nor an annual permit described in section 12 of this chapter has been obtained. A temporary authorization may be issued only if the department finds that undue hardship would result if operation under a temporary authorization were prohibited. A carrier who receives a temporary authorization shall:

(1) pay the trip permit fee at the time the temporary authorization is issued; or

(2) subsequently apply for and obtain an annual permit.

(c) A carrier may obtain ~~a~~ **an International Fuel Tax Agreement (IFTA)** repair and maintenance permit to:

(1) travel from another state into Indiana to repair or maintain any of the carrier's motor vehicles, semitrailers (as defined in IC 9-13-2-164), or trailers (as defined in IC 9-13-2-184); and

(2) return to the same state after the repair or maintenance is completed.

The fee for the permit is forty dollars (\$40). The permit is an annual permit and applies to all of the motor vehicles operated by the carrier. The permit is not transferable to another carrier. A carrier may not carry cargo or passengers under the permit. A carrier may operate a motor vehicle under the permit in lieu of paying the tax imposed under this chapter. The permit allows the travel described in this section. In addition to any other fee established in this chapter, and instead of paying the quarterly motor fuel tax imposed under this chapter, a carrier may pay an annual IFTA repair and maintenance fee of forty dollars (\$40) and receive an IFTA annual repair and maintenance permit. The IFTA annual repair and maintenance permit and fee applies to all of the motor vehicles operated by a carrier. The IFTA annual repair and maintenance permit is not transferable to another carrier. A carrier may not carry cargo or passengers under the IFTA annual repair and maintenance permit. All fees collected under this subsection shall be deposited in the motor carrier regulation fund (IC 8-2.1-23). The report otherwise required under section 10 of this chapter is not required with respect to a motor vehicle that is operated under ~~the~~ **an IFTA annual repair and maintenance permit**.

(d) A carrier may obtain an International Registration Plan (IRP) repair and maintenance permit to:

(1) travel from another state into Indiana to repair or maintain any of the carrier's motor vehicles, semitrailers (as defined in IC 9-13-2-164), or trailers (as defined in IC 9-13-2-184); and

(2) return to the same state after the repair or maintenance is completed.

The permit allows the travel described in this section. In addition to any other fee established in this chapter, and instead of paying apportioned or temporary IRP fees under IC 9-18-2 or IC 9-18-7, a carrier may pay an annual IRP repair and maintenance fee of forty dollars (\$40) and receive an IRP annual repair and maintenance permit. The IRP annual repair and maintenance permit and fee applies to all of the motor vehicles operated by a carrier. The IRP annual repair and maintenance permit is not transferable to another carrier. A carrier may not carry cargo or passengers under the IRP annual repair and maintenance permit. All fees collected under this subsection shall be deposited in the motor carrier regulation fund (IC 8-2.1-23).

(e) A carrier may obtain a repair, maintenance, and relocation permit to:

(1) move a yard tractor from a terminal or loading or spotting facility to:

(A) a maintenance or repair facility; or

(B) another terminal or loading or spotting facility; and

(2) return the yard tractor to its place of origin.

The fee for the permit is forty dollars (\$40). The permit is an annual permit and applies to all yard tractors operated by the carrier. The permit is not transferable to another carrier. A carrier may not carry cargo or transport or draw a semitrailer or other vehicle under the permit. A carrier may operate a yard tractor under the permit instead of paying the tax imposed under this chapter. A yard tractor that is being operated on a public highway under this subsection must display a license plate issued under IC 9-18-32. As used in this section, "yard tractor" has the meaning set forth under IC 9-13-2-201.

~~(e)~~ (f) The department shall establish procedures, by rules adopted under IC 4-22-2, for:

- (1) the issuance and use of trip permits, temporary authorizations, and repair and maintenance permits; and
- (2) the display in commercial motor vehicles of evidence of compliance with this chapter."

Page 1, line 3, delete ""Commercial" and insert **"(a) Except as provided in subsection (b), "commercial"**.

Page 1, line 4, delete "9-18-2, has the meaning set forth in IC 9-18-2-0.5." and insert **"9-18-2-4.5, means a motor vehicle or combination of motor vehicles used in commerce to transport property if the motor vehicle:**

(1) has a gross combination weight rating of at least twenty-six thousand one (26,001) pounds, including a towed unit with a gross vehicle weight rating of more than ten thousand (10,000) pounds; or

(2) has a gross vehicle weight rating of at least twenty-six thousand one (26,001) pounds.

(b) The bureau of motor vehicles may, by rule, broaden the definition of commercial motor vehicle under subsection (a) to include lighter vehicles for purposes of IC 9-18-2-4.5."

Page 1, delete lines 5 through 8, begin a new paragraph and insert:

"SECTION 3. IC 9-13-2-201 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 201. "Yard tractor" refers to a tractor that is used to move semitrailers around a terminal or a loading or spotting facility. The term also refers to a tractor that is operated on a highway with a permit issued under ~~IC 6-6-4.1-13(d)~~ **IC 6-6-4.1-13(e)** if the tractor is ordinarily used to move semitrailers around a terminal or spotting facility."

Page 1, line 13, delete "permanent".

Page 1, line 14, after "each" insert **"commercial"**.

Page 1, line 14, delete "one" and insert **"twenty-five (25)"**.

Page 1, line 15, delete "hundred (100)".

Page 1, line 15, delete "permanent".

Page 1, line 15, after "plate" insert **"issued under this section"**.

Page 1, line 16, after "for" delete "the" and insert **"a"**.

Page 1, line 16, delete "may contain the words "no expiration " and insert **"is valid for five (5) years."**

Page 1, delete line 17.

Page 2, delete line 1.

- 1 Page 2, line 2, delete "one hundred (100)" and insert "**twenty-five**
- 2 **(25)**".
- 3 Page 2, line 5, delete "permanent".
- 4 Page 2, line 7, delete "permanent".
- 5 Page 2, line 29, delete "33" and insert "**4.5 or 18**".
- 6 Page 3, line 1, delete "for a vehicle other than a vehicle (other than)".
- 7 Page 3, delete line 2.
- 8 Page 3, line 3, delete "thousand (26,000) pounds, a tractor, or a
- 9 truck-tractor".
- 10 Page 3, line 11, delete "under".
- 11 Page 3, line 12, delete "subsection (b)".
- 12 Page 3, line 17, after "for a" insert "**commercial**".
- 13 Page 3, line 17, delete "(other than a bus) having a".
- 14 Page 3, delete line 18.
- 15 Page 3, line 19, delete "pounds, a tractor, or a truck-tractor".
- 16 Page 3, line 20, delete "may" and insert "**shall**".
- 17 Page 3, line 23, delete "or" and insert "**and**".
- 18 Page 3, line 24, delete "law enforcement agency that has jurisdiction
- 19 over the" and insert "**bureau;**".
- 20 Page 3, delete line 25.
- 21 Page 3, between lines 33 and 34, begin a new paragraph and insert:
- 22 "SECTION 7. IC 9-18-32-2 IS AMENDED TO READ AS
- 23 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) The bureau shall
- 24 design and manufacture yard tractor repair, maintenance, and
- 25 relocation permit license plates as needed to administer this chapter.
- 26 (b) The license plate designed and manufactured under this section
- 27 must:
- 28 (1) be designed for display on a yard tractor;
- 29 (2) be designed to be transferable between yard tractors operated
- 30 by the carrier; and
- 31 (3) designate the yard tractor as a yard tractor permitted to operate
- 32 on a public highway under ~~IC 6-6-4.1-13(d)~~ **IC 6-6-4.1-13(e)**".

- 1 Page 3, delete lines 34 through 42.
- 2 Page 4, delete lines 1 through 38.
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1792 as introduced.)

and when so amended that said bill do pass.

Representative Cook